

7-26-04

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2131

#7  
8-31-04  
JULYPractitioner's Docket No. U 013616-0

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent application  
of \_\_\_\_\_

Inventor(s)

RECEIVED

for \_\_\_\_\_

Title of invention

JUL 28 2004

OR

Technology Center 2100

In re application of: Chaim O. SHEN-ORR, et al.

Serial No.: 09/914,297

Group No.: 2131

Filed: December 18, 2001

Examiner:

For: DIGITAL CONTENT DELIVERY SYSTEM AND METHOD

**Commissioner for Patents**  
**P. O. Box 1450**  
**Alexandria, VA 22313-1450**

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT  
WITHIN THREE MONTHS OF FILING OR  
BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. 1.97(b))**

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**CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10\***

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Date: July 23, 2004

\* Only the date of filing (§ 1.6) will be the date used in a patent term-adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

**NOTE:** 37 C.F.R. 1.98(b):

- (1) *Each U.S. patent listed in an information disclosure statement must be identified by inventor, patent number, and issue date.*
- (2) *Each U.S. patent application published listed in an information disclosure statement shall be identified by applicant, patent application publication number, and publication date.*
- (3) *Each U.S. application listed in an information disclosure statement must be identified by the inventor, application number, and filing date.*
- (4) *Each foreign patent or published foreign patent application listed in an information disclosure statement must be identified by the country or patent office which issued the patent or published the application, an appropriate document number, and the publication date indicated on the patent or published application.*
- (5) *Each publication listed in an information disclosure statement must be identified by publisher, author (if any), title, relevant pages of the publication, date, and place of publication.*

**WARNING:** *No extension of time can be had under 37 C.F.R. § 1.36 (a) or (b) for filing an IDS. 37 C.F.R. § 1.97(f).*

**NOTE:** *The "filing date of a national application" under 37 C.F.R. 1.97(b) has two possible meanings. Where the filing is a direct one to the United States Patent & Trademark office, the filing is defined in 37 C.F.R. 1.53(b) as "the date on which: (1) A specification containing a description pursuant to § 1.71 and at least one claim pursuant to § 1.75; and (2) any drawing required by § 1.81(a), are filed in the Patent and Trademark Office in the name of the actual inventor or inventors as required by § 1.41." 37 C.F.R. 1.97(b)(1). On the other hand, an international application that enters the national stage occurs when the applicant has filed the documents and fees required by 35 U.S.C. § 371(c) within the periods set forth in § 1.494 or § 1.495. 35 U.S.C. § 371(c) requires the filing of the following: (1) the national fee; (2) a copy of the international application, unless already sent by the International Bureau, and an English translation if filed in another language; (3) amendments under PCT Article 19, with a translation into English if made in another language; (4) an oath or declaration; and (5) a translation into English of any annexes to the international preliminary examination report, if such annexes were made in another language. 37 C.F.R. 1.97(b)(2).*

#### **IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING INFORMATION DISCLOSURE STATEMENT**

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. 1.97(b).

**NOTE:** *"No certification or fee is due when the filing is made within the above time period. It is advisable to ensure that no Office action has been mailed if the disclosure statement is delayed until after three months from filing."*

**NOTE:** *"An information disclosure statement will be considered to have been filed on the day it was received in the Office, or on an earlier date of a mailing if accompanied by a properly executed certificate of mailing under 37 C.F.R. 1.8, or Express Mail certificate under 37 C.F.R. 1.10. An office action is mailed on the date indicated in the Office action." Notice of April 20, 1992 (1138 O.G. 37-41, 39).*

**NOTE:** *"The term 'national application' includes continuing applications (continuations, divisions, continuations-in-part) so three-months will be measured from the actual filing date of an application as opposed [sic] to the effective date of a continuing application." Notice of April 20, 1992 (1138 O.G. 37-41, 39).*

**NOTE:** "An action on the merits means an action which treats the patentability of the claims in an application, as opposed to only formal or procedural requirements. An action on the merits would, for example, contain a rejection or indication of allowability of a claim or claims rather than just a restriction requirements (37 C.F.R. 1.142) or just a requirement for additional fees to have a claim considered (37 C.F.R. 1.16(d)). Thus, if an application was filed on Jan. 1 and the first Office action on the merits was not mailed until six months later on July 1, the examiner would be required to consider any proper information disclosure statement filed prior to July 1." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

**WARNING:** "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63).

If a fee is required, please charge deposit account 12-0425.



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SIGNATURE OF PRACTITIONER

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Chaim O. SHEN-ORR, et al.

Serial No.: 09/914,297

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RECEIVED

JUL 28 2004

Attorney Docket No.: U 013616-0

Technology Center 2100

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

We draw the attention of the Examiner to the attached English-language version of an International-type Search Report from a foreign office in respect of counterpart International Application No. PCT/IL 01/00013 that indicates the degree of relevance found by the foreign office. The Search Report makes consideration of any non-English art required. MPEP 609.

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37 C.F.R. 1.8(a)

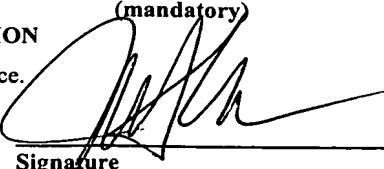
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JULIAN H. COHEN

(type or print name of person certifying)

Date: July 23, 2004

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*Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).  
"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.*

July 23, 2004

We also draw the Examiner's attention to the additional U.S. Patents and articles.

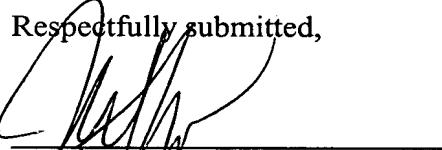
The following comments are provided by the applicant.

- SGS-Thomson Microelectronics STi3520A MPEG Audio/MPEG-2 Video

Integrated Decoder, data brief. Please note that we wish to disclose under 35 USC 102(b) the product described (the STi3520 chip), and under 35 USC 102(a) the printed document itself. The STi3520A chip is known to us to have been on sale in the US, and is known to have been used in set-top boxes used in the US, at least as early as 1998.

- ST Product News 4<sup>th</sup> Edition 1999 - Set Top Box, available on the Internet at: [www.st.com/stonline/bin/hilite.exe?file=/stonline/press/magazine/prodnews/4thedi99/pnews3.htm&words=STI5510](http://www.st.com/stonline/bin/hilite.exe?file=/stonline/press/magazine/prodnews/4thedi99/pnews3.htm&words=STI5510). Please note that in this case, we only wish to disclose the printed publication itself. Since the illustration on page two of the publication is of fairly low resolution, we also include a blown-up, black and white copy of the illustration. To the best of our knowledge, the STi5510 chip, or a chip substantially similar to the STi5510, went on sale in the US sometime in the year 2000.

Respectfully submitted,



\_\_\_\_\_  
Julian H. Cohen  
Ladas & Parry  
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FORM PTO-1449

U. S DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEINFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

(Use several sheets if necessary)



ATTY. DOCKET NO.	SERIAL NO.
U 013616-0	09/914,297
APPLICANT	
CHAIM D. SHEN-ORR ET AL.	
FILING DATE	GROUP
December 18, 2001	2131

## REFERENCE DESIGNATION

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	FILING DATE IF APPROPRIATE
AA	5,892,900	04/1999	Ginter et al.	
AB	5,910,987	06/1999	Ginter et al.	
AC	5,915,019	06/1999	Ginter et al.	
AD	5,917,912	06/1999	Ginter et al.	JUL 28 2004
AE	5,920,861	07/1999	Hall et al.	Technology Center 2100
AF	5,943,422	08/1999	Van Wie et al.	
AG	5,949,876	09/1999	Ginter et al.	
AH	5,982,891	11/1999	Ginter et al.	
AI	6,112,181	08/2000	Shear et al.	
AJ	6,138,119	10/2000	Hall et al.	
AK	6,157,721	12/2000	Shear et al.	
AL	6,389,402	05/2002	Ginter et al.	
AM	6,427,140	07/2002	Ginter et al.	

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
				YES	NO
	AN	0714204	01/2002	EP	
	AO	0912052	04/1999	EP	
	AP	99/18729	04/1999	WO	
	AQ				

## OTHER ART (Including Author, Title, Date, Pertinent Dates, Etc.)

AR	SGS-Thomson Microelectronics STi3520A: MPEG Audio/MPEG-2 Video Integrated Decoder, data brief. February 1997
AS	ST Product News, 4 <sup>th</sup> Edition 1999 - Set top box. STMicroelectronics, 2004. Pages 1-4 <a href="http://www.st.com/stonline/bin/hilite.exe?file=/stonline/press/magazine/prodnews/4thedi99/pnews3.htm&amp;wds=STI5510">www.st.com/stonline/bin/hilite.exe?file=/stonline/press/magazine/prodnews/4thedi99/pnews3.htm&amp;wds=STI5510</a>
AT	

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APPLICANT	
CHAIM D. SHEN-ORR ET AL.	
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December 18, 2001	2131

## REFERENCE DESIGNATION

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	FILING DATE IF APPROPRIATE
AA	6,449,367	09/2002	Van Wie et al.	
AB	6,185,683	02/2001	Ginter et al.	
AC	6,237,786	05/2001	Ginter et al.	
AD	6,240,185	05/2001	Van Wie et al.	
AE	6,253,193	06/2001	Ginter et al.	
AF	6,363,488	03/2002	Ginter et al.	
AG	6,618,484	09/2003	Van Wie et al.	
AH	6,292,569	09/2001	Shear et al.	
AI	2001/0042043	11/2001	Shear et al.	
AJ	2003/0088784	05/2003	Ginter et al.	
AK				RECEIVED
AL				JUL 28 2004
AM				Technology Center 2100

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
				YES	NO
AN					
AO					
AP					
AQ					

## OTHER ART (Including Author, Title, Date, Pertinent Dates, Etc.)

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